

REMARKS

Claims 25-48 are pending in this Application. Claims 49-67 have been previously canceled without prejudice. In the Office Action mailed June 19, 2006, the Examiner rejected Claims 25-48 under 35 U.S.C. § 103(a) as being unpatentable over Naji et al. (US Patent No. 6,030,477) in view of admitted prior art (e.g., Specification para. [0031] and Table 1) with or without Wingerson (US Patent No. 6,419,788).

With this paper, Applicants respectfully request entry of amended Claims 25 and 33, amended to include "wherein the elevated temperature is at least about 65 degrees Centigrade or greater and up to about 120 degrees Centigrade," which, as pointed out by the Examiner in his statement at paragraph 2 of the Office Action, is not suggested or disclosed by Naji, the admitted prior art or Wingerson. Accordingly, Applicants submit that the claimed invention as a whole would have not been obvious over Naji in view of the admitted prior art, with or without Wingerson. Furthermore, there is no suggestion or motivation, in the references themselves or to one of ordinary skill in the art, to modify the reference or to combine reference teachings, because no teaching or suggestion to make the claimed combination nor the reasonable expectation of success can be found in any of the references themselves, as is required. As such, there is no reasonable expectation of success. In addition, neither the references alone nor when combined teach or suggest all the claim limitations of amended Claims 25 or 33. Therefore, Applicants submit that amended Claims 25 and 33 are patentably distinct from the cited references and respectfully request entry and allowance

of such amended claims and all claims depending therefrom. Support for amended Claims 25 and 33 are found throughout the specification, see, e.g., para. [0008] and [0024].

With this Amendment and Response, Applicants are intending to bring prosecution to a speedy conclusion. The amendments set forth herein are in compliance with the rules for submitting a reply after final rejection under 37 CFR 1.116. Accordingly, this reply only cancels claims, adopts examiner suggestions, complies with any requirement of form expressly set forth in the Office action mailed June 19, 2006, and/or presents rejected claims in better form for consideration before appeal. No new matter has been introduced with this reply and no new issues requiring further consideration and/or search have been introduced with the amendments set forth herein.

CONCLUSION

Applicants respectfully submit that the Application is in condition for allowance, and Applicants earnestly seek such allowance of Claims 25-48 as provided in the Listing of Claims beginning on page 3 of this paper. Should the Examiner have questions, comments, or suggestions in furtherance of the prosecution of this Application, please contact Applicants' representative at 214.999.4330. Applicants, through their representative, stand ready to conduct a telephone interview with the Examiner to review this Application if the Examiner believes that such an interview would assist in the advancement of this Application.

To the extent that any further fees are required during the pendency of this Application, including petition fees, the Commissioner is hereby authorized to charge payment of any additional fees, including, without limitation, any fees under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 07-0153 of Gardere Wynne Sewell LLP and reference Attorney Docket No. 129843-1022. In the event that any additional time is needed for this filing, or any additional time in excess of that requested in a petition for an extension of time, please consider this a petition for an extension of time for any needed extension of time pursuant to 37 C.F.R. § 1.136 or any other section or provision of Title 37. Applicants respectfully request that the Commissioner grant any such petition and authorize the Commissioner to charge the Deposit Account referenced above. Please credit any overpayments to this same Deposit Account.

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AMENDMENT AND RESPONSE
APPLICATION NO. 09/970,389

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This is intended to be a complete response to the Office Action mailed June 19, 2006.

Please direct all correspondence to the practitioner listed below at Customer No. 60148.

Respectfully submitted,

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